



Public Information Office
United States Courts for the Ninth Circuit

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NEWS RELEASE

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Ninth Circuit Court of Appeals Offers Online Video of *En Banc* Proceedings

SAN FRANCISCO – Video recordings of three cases argued in June before special *en banc* courts of the United States Court of Appeals for the Ninth Circuit are now available for online viewing at the court's website: www.ca9.uscourts.gov/media.

En banc courts, which consist of 11 judges rather than the normal three-judge appellate panel, are used to resolve intra-circuit case conflicts and legal questions deemed by the court to be of exceptional importance. Less than 20 cases per year typically receive *en banc* review.

The three cases, which were heard June 22-23, 2010, at the Richard H. Chambers U.S. Courthouse in Pasadena, California, are:

Norse v. City of Santa Cruz, 07-15814

Plaintiff Robert Norse appeals the district court's grant of summary judgment dismissing his suit alleging that city officials violated Norse's constitutional rights in connection with his arrest during a City Council meeting after he made a Nazi salute. The U.S. District Court for the Northern District of California determined that defendant city officials were entitled to qualified immunity.

Guggenheim v. City of Goleta, 06-56306

Plaintiff mobile home park owners appeal the district court's grant of summary judgment dismissing a suit challenging the constitutionality of the city's mobile home park rent control ordinance. Plaintiffs challenge the legal analysis of their takings claims by the U.S. District Court for the Central District of California. Seventeen "friend of the court" briefs have been filed in the case by governmental associations, groups representing mobile home park owners and residents, makers of manufactured housing and others.

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United States v. Lopez-Velasquez, 07-30241

The government appeals the dismissal of an indictment for illegal reentry after deportation. The U.S. District Court for the District of Oregon dismissed the indictment after concluding that the due process clause required the immigration judge to notify a defendant of the possibility of becoming eligible for immigration relief. In a prior deportation proceeding, the defendant was not informed that if he administratively appealed, his period of lawful domicile would continue to accrue for purposes of the seven-year requirement for a discretionary waiver of deportation.

The Ninth Circuit Court of Appeals hears appeals of cases decided by executive branch agencies and federal trial courts in nine western states and two Pacific Island jurisdictions. The court normally meets monthly in Seattle, Washington, San Francisco, California, and Pasadena, California; every other month in Portland, Oregon; three times per year in Honolulu, Hawaii; and once a year in Anchorage, Alaska. A complete schedule of cases is available online at <http://www.ca9.uscourts.gov>.

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